

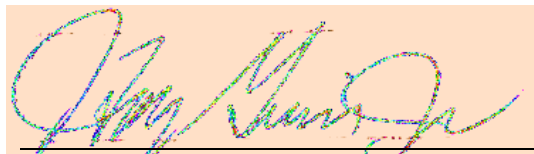
**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ALABAMA
MIDDLE DIVISION**

RAPHAEL ALKOBI,)	
)	
Petitioner,)	
)	
vs.)	CIVIL ACTION NO. 04-G-1134-M
)	
TOM RIDGE, Secretary of the)	
Department of Homeland Security et al.,)	
)	
Respondents.)	

MEMORANDUM OPINION

The court has considered the entire file in this action, together with the Magistrate Judge's Report and Recommendation, and the objections of the petitioner, and has reached an independent conclusion that the Report and Recommendation is due to be adopted and approved. The court hereby adopts and approves the findings and recommendation of the magistrate judge as the findings and conclusions of the court. In accord with the recommendation, the respondents' motion to dismissed is due to be granted, and this petition for writ of habeas corpus is due to be dismissed. An appropriate order will be entered.

DONE and ORDERED 20 January 2005.


 UNITED STATES DISTRICT JUDGE
 J. FOY GUIN, JR.